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EXAMINER

FOSTER, JUSTIN B

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 12/08/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/576,037

Applicant(s)

LOU, ROY

Examiner

Justin Foster

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21, 24-42 and 45 is/are rejected.
- 7) ☒ Claim(s) 22, 23, 32, 33, 43 and 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

2. Claims 22 and 23 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 22 and 23 have the same limitations as claims 15 and 16, respectively. However, claims 22 and 23 are dependent on both claims 15 and 16, therefore claims 22 and 23 do not add any further limitations.

3. Claims 43 and 44 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 43 and 44 have the same limitations as claims 36 and 37, respectively. However, claims 43 and 44 are dependent on both claims 36 and 37, therefore claims 43 and 44 do not add any further limitations.

4. Claims 32 and 33 are objected to because of the following informalities: Claim 32 is dependent on "The computer program product of Claim 29". However, claim 29 recites a print

Art Unit: 2624

control system and not a computer program product. The examiner is assuming that this is a typo and claim 32 is meant to be dependent on computer program product claim 30. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4, 6, 8-14, 24-27, 30-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee, *et al.* (6,362,892), hereinafter referred to as “Lee ‘892”. With regard to claim 1, Lee ‘892 discloses a print control system for processing a print request (figure 3), comprising a print dialogue box (multi-layered user interface 41, figure 4B) displayed in response to the print request (column 4, lines 20-23) and configured to at least display print settings for the print jobs (column 4, lines 24-25), modify the print settings (column 4, line 26), and confirm the print job (OK button, figure 4B); and a printing information dialogue box (summary bar 42, figure 4B) configured to display, upon a confirmation of the print job and prior to issuance of the print job, a synopsis of the print settings for the print job (column 4, lines 30-34).

Art Unit: 2624

7. With regard to claim 2, Lee '892 discloses the invention as stated in claim 1. Lee '892 further discloses that the print dialogue box is configured to select a page scale size (figure 4B, billboard options).

8. With regard to claim 3, Lee '892 discloses the invention as stated in claim 1. Lee '892 further discloses that the print dialogue box is configured to cancel the print job (cancel button, figure 4B).

9. With regard to claim 4, Lee '892 discloses the invention as stated in claim 1. Lee '892 further discloses that the printing information dialogue box is configured to enable issuance of the print job (column 5, lines 45-49).

10. With regard to claim 6, Lee '892 discloses the invention as stated in claim 1. Lee '892 further discloses that the printing information dialogue box (summary bar 42, figure 4B) is configured to enable cancellation of the print job (column 5, lines 46-49).

11. With regard to claim 8, Lee '892 discloses the invention as stated in claim 1. Lee '892 further discloses, in lines 38-41 of column 4, that the summary bar is used to show printing status information. This is inherently a dialogue box indicating that the print job is complete.

12. With regard to claim 9, Lee '892 discloses a method for processing a print request, comprising the steps of entering, by a user, a print request for a print job (column 4, lines 20-21); displaying, in response to the print request, a print dialogue box (multi-layered user interface 41, figure 4B) configured to at least modify the print settings and confirm the print job (column 4, lines 20-23); confirming, by the user, a print job confirmation that the print job is to be printed (inherently shown by OK button, figure 4B); displaying, upon receipt of the print job confirmation and prior to issuance of the print job, a printing information dialogue box with a

Art Unit: 2624

synopsis of print settings for the print job (summary bar 42, figure 4B); and directing, by a user selection, the processing of the print job (column 5, lines 45-49).

13. With regard to claim 10, Lee '892 discloses the invention as stated in claim 9. Lee '892 further discloses displaying a print dialogue box configured to display print settings for the print job (column 4, lines 20-23).

14. With regard to claim 11 and 12, Lee '892 discloses the invention as stated in claim 9. Lee '892 further discloses issuing the print job from the printing information dialogue box (column 5, lines 45-49), which is inherently selecting in the printing information dialogue box a print selection device.

15. With regard to claims 13 and 14, Lee '892 discloses the invention as stated in claim 9. Lee '892 further discloses canceling the print job from the printing information dialogue box (column 5, lines 45-49), which is inherently selecting in the printing information dialogue box a cancel selection device.

16. With regard to claim 24, Lee '892 discloses the invention as stated in claim 9. Lee '892 further discloses, in lines 38-41 of column 4, that the summary bar is used to show printing status information. This is inherently a dialogue box indicating that the print job is complete.

17. With regard to claims 25 and 26, Lee '892 discloses a print control system configured to process a print request (figure 3), comprising means for requesting a print job (column 4, lines 20-22); means for displaying, in response to the print request, print settings (column 4, lines 22-23); means for modifying the print settings (column 4, lines 24-26); means for confirming the print job (column 6, lines 3-4); means for displaying, upon receipt of a print job confirmation and prior to issuance of the print job, a synopsis of the print settings for the print job (column 4, lines

Art Unit: 2624

30-31); and means for directing the print job (column 6, lines 7-13), which is inherently a means for issuing the print job.

18. With regard to claim 27, Lee '892 discloses the invention as stated in claim 25. Lee '892 further discloses means for canceling the print job (column 5, lines 48-49).

19. With regard to claim 30, Lee '892 discloses a computer program product (memory 32, column 4, line 7) configured to store program instructions for execution on a computer system enabling a computer system to process a print request by performing the steps of displaying, in response to the print request, a print dialogue box (multi-layered user interface 41, figure 4B) configured to at least modify the print settings (column 4, lines 24-26) and confirm the print job (OK button, figure 4B); displaying, upon receipt of a print job confirmation and prior to issuance of the print job, a printing information dialogue box (summary bar 42, figure 4B) with a synopsis of print settings for the print job (column 4, lines 30-31); and directing, by user selection, the processing of the print job (column 6, lines 7-13).

20. With regard to claim 31, Lee '892 discloses the invention as stated in claim 30. Lee '892 further discloses displaying a print dialogue box (multi-layered user interface 41, figure 4B) configured to display print settings for the print job (column 4, lines 20-23).

21. With regard to claims 32 and 33, Lee '892 discloses the invention as stated in claim 29. Lee '892 further discloses issuing the print job from the printing information dialogue box (column 5, lines 45-49), which is inherently selecting in the printing information dialogue box a print selection device.

22. With regard to claims 34 and 35, Lee '892 discloses the invention as stated in claim 30. Lee '892 further discloses canceling the print job from the printing information dialogue box

Art Unit: 2624

(column 5, lines 45-49), which is inherently selecting in the printing information dialogue box a cancel selection device.

***Claim Rejections - 35 USC § 103***

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee '892 as applied to claim 1 above, and in further view of Lee (6,628,413), hereinafter referred to as "Lee '413". Lee '892 discloses the invention as stated in claim 1. Lee '892 does not disclose the printing information dialogue box being configured to enable resubmission of the print job. Lee '413 teaches, in lines 3-5 of column 7, a system of resubmitting a print job. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the printing information dialogue box of Lee '892 to be configured to enable resubmission of the print job. This modification would enable a user to define how a page or series of pages should be laid out.

25. Claims 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee '892 as applied to claim 9 above, and in further view of Lee '413. With regard to claim 15, Lee '892 discloses the invention as stated in claim 9. Lee '892 does not disclose resubmitting the print job from the printing information dialogue box. Lee '413 teaches, in lines 3-5 of column 7, resubmitting a print job. It would have been obvious to one of ordinary skill in the art at the time



Art Unit: 2624

the invention was made for the method of Lee '892 to include the step of resubmitting the print job from the printing information dialogue box. This modification would enable a user to define how a page or series of pages should be laid out.

26. With regard to claim 16, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 15. Lee '413 further teaches, in lines 65 of column 6 through 7 of column 7, modifying a print selection and then resubmitting it, which is equivalent to selecting in the printing information dialogue box a modify selection device.

27. With regard to claim 17, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 16. Lee '413 further discloses the steps of recreating thumbnail sketches (column 7, line 6), which is equivalent to redisplaying the print dialogue box; modifying the default pagination (column 6, line 65 - column 7 line 3), which is equivalent to modifying the print settings from the print dialogue box; resubmitting the new configuration (column 7, lines 4-5), which is equivalent to reconfirming the print job from the print dialogue box; recreating thumbnail sketches (column 7, line 6-7), which is equivalent to redisplaying, upon receipt of the reconfirmation and prior to issuing the print job, the printing information dialogue box; and redirecting, by said user selection (OK button 176, figure 6), the processing of the print job (column 7, lines 10-11).

28. With regard to claims 18 and 19, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 17. Lee '892 further discloses issuing the print job from the printing information dialogue box (column 5, lines 45-49), which is inherently selecting in the printing information dialogue box a print selection device.

Art Unit: 2624

29. With regard to claims 20 and 21, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 17. Lee '892 further discloses canceling the print job from the printing information dialogue box (column 5, lines 45-49), which is inherently selecting in the printing information dialogue box a cancel selection device.

30. Claims 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee '892 as applied to claim 25 above, and in further view of Lee '413. With regard to claim 28, Lee '892 discloses the invention as stated in claim 25. Lee '892 does not disclose means for resubmitting the print job. Lee '413 teaches, in lines 3-5 of column 7, resubmitting a print job. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the method of Lee '892 to include means for resubmitting the print job. This modification would enable a user to define how a page or series of pages should be laid out.

31. With regard to claim 29, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 28. Lee '413 further discloses means for redisplaying, in response to a resubmission of the print job, print settings (thumbnail sketches, column 7, line 6). Lee '892 further discloses said means for modifying the print settings (column 4, lines 24-26); said means for reconfirming the print job (column 6, lines 3-4); means for redisplaying, upon receipt of a print job reconfirmation and prior to issuance of the print job, said synopsis (column 4, lines 30-31); and said means for directing said print job (column 6, lines 7-13).

32. Claims 36-42 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee '892 as applied to claim 30 above, and in further view of Lee '413. With regard to claim 36, Lee '892 discloses the invention as stated in claim 30. Lee '892 does not disclose resubmitting the print job from the printing information dialogue box. Lee '413 teaches, in lines 3-5 of column 7,

Art Unit: 2624

a system of resubmitting a print job. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the printing information dialogue box of Lee '892 to be configured to enable resubmission of the print job. This modification would enable a user to define how a page or series of pages should be laid out.

33. With regard to claim 37, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 36. Lee '413 further teaches, in lines 65 of column 6 through 7 of column 7, modifying a print selection and then resubmitting it, which is equivalent to selecting in the printing information dialogue box a modify selection device.

34. With regard to claim 38, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 37. Lee '413 further discloses redisplaying, in response to a resubmission of the print job, print settings (thumbnail sketches, column 7, line 6), which is equivalent to redisplaying said print dialogue box. Lee '892 further discloses modifying the print settings from said print dialogue box (column 4, lines 24-26); reconfirming the print job from said print dialogue box (column 6, lines 3-4); redisplaying, upon receipt of the reconfirmation and prior to issuance of the print job, said printing information dialogue box (column 4, lines 30-31); and redirecting, by said user selection, the processing of the print job (column 6, lines 7-13).

35. With regard to claim 39 and 40, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 38. Lee '892 further discloses issuing the print job from the printing information dialogue box (column 5, lines 45-49), which is inherently selecting in the printing information dialogue box a print selection device.

Art Unit: 2624

36. With regard to claims 41 and 42, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 38. Lee '892 further discloses canceling the print job from the printing information dialogue box (column 5, lines 45-49), which is inherently selecting in the printing information dialogue box a cancel selection device.

37. With regard to claim 45, the combination of Lee '892 and Lee '413 discloses the invention as stated in claim 38. Lee '892 further discloses, in lines 38-41 of column 4, that the summary bar is used to show printing status information. This is inherently a dialogue box indicating that the print job is complete.

38. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee '892, as applied to claim 1 above, and further in view of Ojala (6,222,638), Fischer, *et al.* (6,075,617), Ogawa (5,079,722), Lund (5,650,858), Beard, *et al.* (6,615,297), Check, Jr. *et al.* (3,990,362), Roch (4,847,775), French, *et al.* (6,396,594) and Patel, *et al.* (5,566,278). Lee '892 discloses the invention as stated in claim 1. Lee '892 further discloses the printing information dialogue box being configured to display a synopsis of print settings including printer name (HP DeskJet 1120C, figure 4B), output printer settings (all of figure 4B), document size (LETTER (8.5 x 11 in.), figure 4B) and paper type and paper selection (plain paper, figure 4B). Lee '892 does not disclose the printing information dialogue box being configured to display a synopsis of the print settings including printer ports, timeout settings, color management, banner settings, print size, printer tray, print resolution, edge smoothing flags, toner savings flag, graphics configuration, accessories, statistics, or watermark properties. Ojala teaches, in line 27 of column 7, the use of printer ports as a print setting. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include printer ports. This would allow

Art Unit: 2624

the user to properly set the port to which a job will be printed. Olga further teaches, in line 28 of column 7, the use of printer timeout settings. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include timeout settings.

This would allow the user to ensure the proper selection of the timeout settings. Fischer teaches, in lines 15-24 of column 4, the use of printer settings relating to banner settings. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include banner settings. This would allow for the proper printing of banner pages.

Ogawa teaches, in line 56 of column 3, the setting of print size for a printer output. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include print size. This would allow the user to ensure that the desired print size was being used. Ogawa further teaches, in lines 57-58 of column 3, a print tray selection. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include printer tray. This would allow the user to ensure that the proper printer tray was selected for dispensing paper for the print job. Patel teaches, in lines 3-6 of column 12, the use of color management for a print job. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include color management. This would allow the user to ensure the proper printing of colors for a print job. Patel further teaches, in lines 29-30 of column 9, setting a graphics configuration for a print job. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include graphics configuration. This would ensure the proper printing of graphics. Patel further discloses, in lines 34-36 of column 18, the setting of resolution for a print job. It would have been obvious to one of ordinary skill in the art at the time the invention was

Art Unit: 2624

made for the print settings to include resolution. This would ensure that print jobs were printed with the proper resolution desired by the user. Lund teaches, in lines 53-57 of column 2, the use of edge smoothing in a printing operation. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include edge smoothing flags. This would allow the user to ensure that edge smoothing was being properly used during the print output. Beard teaches, in line 33 of column 5, the use of printer settings for the toner required for print quality, which is equivalent to toner savings flag. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use toner savings flag as a print setting in order to control the toner used and therefore improve print quality. Check teaches, in lines 13-15 of column 3, the use of printer accessories. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include accessories. This would allow the user to keep track of what accessories were being used for a print job. Roch teaches, in lines 23-27 of column 1, the use of printing production statistics. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include statistics. This would allow the user to keep track of the printing done by a printer. French teaches, in line 22 of column 2, the setting of a watermark property for a print job. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the print settings to include watermark properties. This would allow the user to print watermarks if so desired.

### ***Conclusion***

Art Unit: 2624

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Foster whose telephone number is (703)305-1900. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

JF



**DAVID MOORE**  
**SUPERVISORY PATENT EXAMINER**  
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